

APPLICANT: Horan, et al. : BEFORE THE PRIMARY  
U.S. Serial No. 09/470,360 : EXAMINER: T. Victor OH  
FILING DATE: December 22, 1999 :  
RE: PROCESS IMPROVEMENT FOR GROUP ART UNIT: 1621  
CONTINUOUS ETHYL ACETATE PRODUCTION :  
: :  
: :

11/19  
JL/3/03

Per Fax Transmission to no. 703-308-4556  
Hon. Commissioner of Patents  
Washington, D.C. 20231

Applicant's Docket No. C-7197

### REQUEST FOR RECONSIDERATION

Dear Sir:

This submission is responsive to the Final Office Action mailed February 26, 2002. Reconsideration of this Application is requested in view of the following Remarks.

### REMARKS

#### Rejections Under 35 U.S.C. § 103

The Final Office Action maintains the same obviousness rejections based upon a combination of the Papa and Spiske references as asserted in the previous Office Action.

An important distinction between the claimed process and the process of Papa, not addressed in the Final Office Action, is that the claimed process recites that a portion of organic phase (**product ester**) recovered in the first distillation is directed to the reaction zone. Not only does Papa fail to teach or suggest recovering an organic phase from the first distillation, the organic phase recovered from the second distillation and routed to the reaction zone is a **reactant**.

In the claimed process, "ethyl acetate" is recovered from the first distillation and then directed to the reaction zone as an azeptropic agent. This is important because the reaction to produce ethyl acetate produces more water than can be removed in an ethyl acetate/water azeotrope. Therefore, the ethyl acetate product serves as an azeptropic agent to remove water from the reaction mixture. It is important to note that the ethyl acetate is a **product** and not a **reactant** for esterification.

Papa teaches only recovering an unreacted carboxylic acid from the second distillation and routing it to the reaction zone to react with an alcohol to produce an ester.

**CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)**

Applicant(s): Horan et al.

Docket No.

C-7197

Serial No.  
09/470,360Filing Date  
December 22, 1999Examiner  
T. Victor OHGroup Art Unit  
1626

Invention: PROCESS IMPROVEMENT FOR CONTINUOUS ETHYL ACETATE PRODUCTION

**FAX RECEIVED****OFFICIAL**

MAY 14 2003

GROUP 1600

I hereby certify that this 1) Request for Reconsideration (2 pgs) & 2) Notice of Appeal (1 pg)  
*(Identify type of correspondence)*is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-308-4556on May 13, 2003  
*(Date)*Ursula K. FISHER  
*(Typed or Printed Name of Person Signing Certificate)*Ursula K. Fisher  
*(Signature)*

Note: Each paper must have its own certificate of mailing.